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PATENT ATTORNEY DOCKET NO.: 053848-5026

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Erika KANEMATSU) Confirmation No.	.: 1449
Application No.: 10/585,995) Group Art Unit:	2881
Filed: July 13, 2006) Examiner: Unass	signed
For: PROJECTION ELECTRON MICROSCOPE, ELECTRON MICROSCOPE, SPECIMEN SURFACE OBSERVING METHOD, AND MICRO DEVICE PRODUCING METHOD))))	

Commissioner for Patents U.S. Patent and Trademark Office Customer Window Alexandria, VA 22314

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37. C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicant does not believe that a fee is due for filing this paper.

A concise explanation of relevance for each of the non-English language documents listed may be ascertained from the English-language translation of their respective Abstracts and the figures respectively therein. Copies of the listed non-U.S. documents are attached.

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Applicant respectfully requests that the Examiner consider the listed documents and

evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists

and does not constitute an admission that the listed documents are material or constitute "Prior

Art." If it should be determined that the listed documents do not constitute "Prior Art" under

United States law, Applicant reserves the right to present to the Office the relevant facts and law

regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability

of the disclosed invention over the listed documents, should any of the documents be applied

against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby

authorized by this paper to charge any additional fees during the entire pendency of this

application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required,

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including any required extension of time fees, or credit any overpayment to Deposit Account

No.: 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR**

EXTENSION OF TIME in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:

David B. Hardy Reg. No. 47,362

Dated: June 25, 2007

CUSTOMER NO.: 009629

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INFORMATION DISCLOSURE CITATION Attorney Docket No.: Application No.: 053848-5026 10/585,995 (Use several sheets if necessary) Applicant: Erika KANEMATSU PTO Form 1449 Confirmation No.: 1449 Filing Date: July 13, 2006 Group Art Unit: 2881 PAGE 1 of 1 **U.S. PATENT DOCUMENTS** *Examiner Document Sub Initial Number Date Class Name Class Filing Date 6,310,341 October 30, 2001 Todokoro et al. 5,929,439 July 27, 1999 Todokoro et al. FOREIGN PATENT DOCUMENTS Document ' Sub **Translation** Number Country Class Class Date YES NO 2002-216692 August 2, 2002 Japan Abstract 2002-141010 May 17, 2002 Japan Abstract 2001-332593 November 30, 2001 Japan Abstract 11-238484 August 31, 1999 Japan Abstract OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) Examiner Date Considered Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if Examiner: not in conformance and not considered. Include copy of this form with next communication to applicant.